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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/344,814	06/25/1999	CARL P. KOROBKIN	18936-1-IUS	9488
7590	01/12/2005		EXAMINER	
Fernandez & Associates LLP Patent Attorneys PO Box D Menlo Park, CA 94026-6204			CHANG, JON CARLTON	
			ART UNIT	PAPER NUMBER
			2623	

DATE MAILED: 01/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Allowability

Application No.

09/344,814

Examiner

Jon Chang

Applicant(s)

KOROBKIN, CARL P.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 11/2/04.
2. ☒ The allowed claim(s) is/are 13-25, 28-48 (renumbered as 1-34).
3. ☒ The drawings filed on 25 June 1999 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Jon Chang
Primary Examiner

Response to Applicant's Amendment and Arguments

1. The amendment filed November 2, 2004, has been entered and made of record.

The rejections of claims 57-61 under 35 U.S.C. § 112, are rendered moot by the cancellation of those claims.

In response to the amendment, the remarks on pages 12-13, and in consideration of the interview of October 12, 2004, the rejection under 35 U.S.C. § 103(a) is withdrawn.

Examiner's Amendment

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mircea Achiriloaie (Reg. No. 48,880) on January 7, 2005.

The application has been amended as follows:

In the specification

On page 3, in line 29, after "elements", insert --; Fig. 4(d) shows a scene graph with two nodes and one link.--

On page 4, in line 15, remove "10(a)" and replace with --10(b)--.

On page 5, in line 2, after "axis", insert --; Fig. 13(d) shows a construction employing an extrusion; Fig. 13(e) shows a construction employing a revolution--.

On page 6, in lines 22-23, remove "Fig. 38 is an example of a 3D solid model constructed with functional parametric components" and replace with --Fig. 38(a) is an example of an intelligent object; Fig. 38(b) shows the scene graph of an intelligent object depicted in Fig. 38(a)--.

In the claims

In claim 42, in line 10, between "the" (first occurrence) and "location", insert --digital image of the--.

Reasons for Allowance

3. The following is an examiner's statement of reasons for allowance:

Claim 42 requires that the product representation includes a representation of the position of a product image capture device when the digital image of the product was captured. This limitation, in combination with the requirement that the product representation includes at least a digital image of the product that is not present in the location that will be subsequently inserted into the digital image of the location, is neither disclosed nor suggested by the prior art of record. Claims 43-48 depend from claim 42.

In claim 13, the steps (f) and (g), in combination with the other limitations of the claim, are neither disclosed nor suggested by the prior art of record. Claims 14-25 depend from claim 13.

In claim 28, the steps e) and (f), when considering that the product is not of the space, as per step (c), in combination with the other limitations of the claim, are neither disclosed nor suggested by the prior art of record. Claims 29-41 depend from claim 28.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

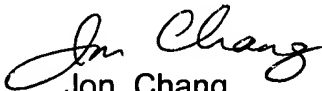
Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jon Chang whose telephone number is (703)305-8439. The examiner can normally be reached on M-F 8:00 a.m.-6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amelia Au can be reached on (703)308-6604. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jon Chang
Primary Examiner
Art Unit 2623

Jon Chang
January 7, 2005